

CORRECTED EXHIBIT 166

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

| | | |
|-----------------------------|---|----------------------|
| DONNA CURLING, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | CIVIL FILE ACTION |
| vs. |) | |
| |) | NO. 1:17-cv-02989-AT |
| |) | |
| BRAD RAFFENSPERGER, et al., |) | |
| |) | |
| Defendants. |) | |

VIDEOTAPED DEPOSITION OF

DOMINIC OLOMO

September 4, 2020

10:05 a.m.

Via Zoom Videoconferencing

Reported by: Marsi Koehl, CCR-B-2424



APG USA, INC.
www.APGreporting.com
(770) 827-1223

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 A. Correct. Yeah.

2 Q. How is it stored?

3 A. It has its own server rack, yeah.

4 Q. It has a server rack.

5 And what is a -- is a server rack -- what is
6 that? Is that like a metal cage that it's kept in?

7 A. Yes.

8 Q. Is it possible to access that rack? How do
9 people access the server if it's within that rack?

10 A. It has a door, so you need to open the door,
11 and -- yeah.

12 Q. I think you cut out a little bit on my end,
13 so could you repeat your answer there?

14 A. Oh, yeah. Okay.

15 There's a door. You know, it's a --
16 it's more like a rack, but like I said, like it's a
17 cage. So it has a door. You need to open the door
18 for you to access the server.

19 Q. Can you access any part of it from the
20 outside or do you have to open the cage to access it?

21 A. You have to open the cage to access it,
22 yeah.

23 Q. And is the cage -- is there a lock on it?

24 A. Yeah. There's a latch on it.

25 Q. A latch.

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 Does the latch have like a padlock or is
2 there any way it's locked?

3 A. Yeah. It has a key lock.

4 Q. Is the key a padlock or is it built in?

5 A. It's built in.

6 Q. And who has the key?

7 A. The Fulton County warehouse manager.

8 Q. What about you? Do you have a key?

9 A. I do not have a key.

10 Q. So if you need to get into the rack to
11 access the server hardware, you have to get the key
12 from Derrick Gilstrap?

13 A. Yes. No. Okay. So how it works,
14 there's -- the rack is in the warehouse. The
15 warehouse door is always locked.

16 Q. Okay.

17 A. Yeah.

18 Q. Well, do you have access to the warehouse
19 yourself?

20 A. No, I do not.

21 Q. So it has to be opened by somebody before
22 you can go there?

23 A. Correct.

24 Q. And then I think once you're inside the
25 warehouse, you said the rack itself is also locked?

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 A. It's most of the time closed.

2 Q. Most of the time closed.

3 Is it locked?

4 A. Locked -- what do you mean "locked"? What
5 do you mean by "locked"? Yes. It is locked, yeah.

6 Q. So can you open it without the key?

7 A. Yes, you can open it without the key.

8 Q. So it's -- is it inside any kind of locked
9 room inside the warehouse?

10 A. Yes.

11 Q. And that's where it stays?

12 A. Correct.

13 Q. Who has access to that room?

14 A. The Fulton County warehouse manager.

15 Q. And anybody else?

16 A. Not to my knowledge.

17 Q. So if you need to access the rack, you --
18 what do you do?

19 A. When I come in in the morning, the Fulton
20 County warehouse manager is always there, so...

21 Q. So how would you access the rack if you come
22 in and he's there?

23 A. I always walk by his office. So like first
24 thing I do is I go to his office and say "good
25 morning" to him, and he tells me what to do for that

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 day. And, yeah, we go from there.

2 Q. And so if you need to get to the rack, what,
3 do you ask him for the key to that office?

4 A. He always, like, walks with me to the
5 server.

6 Q. I'm sorry?

7 A. He walks me to the server every day.

8 Q. He walks you to the server every day?

9 A. Yeah.

10 Q. So do you access it every day?

11 A. Not every day, not if I don't need to, no.
12 I wouldn't say every --

13 Q. Have you ever seen anyone else besides you
14 accessing it?

15 A. Yeah. Fulton County employees, yeah.

16 Q. Anyone -- these are people that you know are
17 Fulton County employees?

18 A. Correct.

19 Q. They are people you recognize?

20 A. Correct.

21 Q. How many Fulton County employees have you
22 seen accessing the rack?

23 A. Two. The Fulton County warehouse manager,
24 and a Fulton County employee.

25 Q. And do you know that person's name?

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 A. Yes. John. John Ross.

2 Q. John Ross, okay.

3 So you've only seen John Ross and Derrick
4 Gilstrap access the rack?

5 A. Correct.

6 Q. Anyone else?

7 A. No one.

8 Q. How many -- I mean, the room where it's
9 kept, where the rack is kept, is there anything else
10 in that room?

11 A. Yes. We have the voting machines, the BMDs
12 and the ICPs, and we have an ICC scanner right by the
13 server.

14 Q. That sounds big. How big is the room?

15 A. It's big. It's a warehouse.

16 Q. Oh, so the warehouse is the room?

17 A. The warehouse has offices attached to it, so
18 when I say "the warehouse," the warehouse offices,
19 but the room where you have the server --

20 Q. Yes.

21 A. -- you have the BMD, and the ICX and the ICP
22 machines in the room, in the same room, yeah.

23 Q. So we're not talking about a small room?

24 A. Correct.

25 Q. Does anyone else work inside that room or is

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 it just a storage room?

2 A. Yeah. It has other Fulton County employees
3 working in there.

4 Q. So is that on a daily basis that other
5 people are working in that room?

6 A. Correct.

7 Q. And what kinds of work do you see them doing
8 in that room?

9 A. To the best of my knowledge, everyone in
10 that room works on the Fulton machines.

11 Q. And is it more than just John Ross and
12 Derrick Gilstrap?

13 A. You mean in the room --

14 Q. Yes.

15 A. -- in the warehouse? Yes.

16 Q. Well, I don't mean in the warehouse. I mean
17 in the room where the rack is kept.

18 A. Yes. Correct.

19 Q. How many people would you say besides John
20 Ross and Derrick Gilstrap work in the room where the
21 rack is kept?

22 A. I'll say about 10 to 15.

23 Q. Ten to 15 people?

24 A. Yeah.

25 Q. And do those people unlock the door to that

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 room every time they go in and out?

2 A. What do you mean, "unlock the room"? What
3 do you mean?

4 Q. So you said that 10 to 15 people plus John
5 Ross plus Derrick Gilstrap work in the room where the
6 rack is that holds the EMS server. And I'm wondering
7 if those people who work in that room unlock it and
8 relock it every time they enter and exit that room.

9 A. I'm not sure. That's a Fulton County
10 question.

11 Q. Based on what you've seen, have you seen
12 people go in and out of that room without unlocking
13 and locking it?

14 A. Yeah. Yeah, I've seen people go in and out,
15 but I don't think they, like, unlock it or lock it.
16 I don't think they have access to it.

17 Q. So the people who go in and out, are you
18 saying they do have access or they do not have access
19 to that room?

20 A. They have -- they don't have access to
21 unlock it I mean, to the best of my knowledge.

22 Q. Do they use a key every time they go into
23 that room?

24 A. No.

25 Q. So the room is unlocked at least some of the

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

1 time?

2 A. Yeah. During working hours, yeah.

3 Q. During working hours.

4 So just to summarize, so the server is kept
5 in a rack, which is not always locked; correct?

6 A. Not always locked. It's always locked.
7 It's closed. It's a rack. It's a cage.

8 Q. It's always closed, but you could open it by
9 pulling on the door to open it?

10 A. Correct.

11 Q. And that rack is stored inside a room that
12 10 to 15 people work in, and it is not always locked
13 during business hours; correct?

14 A. The door itself, yeah. If you need to go
15 out, you can go out and come, yeah, correct.

16 Q. And is there also a loading dock door that
17 goes into that room?

18 A. No, not inside that room.

19 Q. That's a different room?

20 A. Yeah.

21 Q. Is there any kind of sign-in sheet for
22 people who go into that room or any kind of log of
23 who goes in and out of that room where the rack is
24 stored?

25 A. Yes.

***** C E R T I F I E D *****

APG USA INC.

(888) 542-5598

Curling v.
Raffensperger

Deposition of
DOMINIC OLOMO

9/4/2020

CERTIFICATE

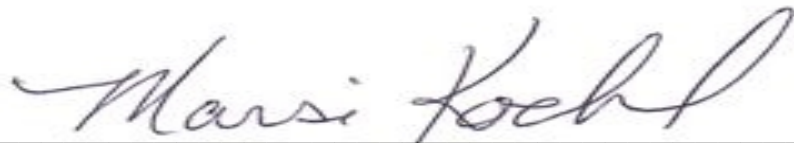
STATE OF GEORGIA:

COUNTY OF FULTON:

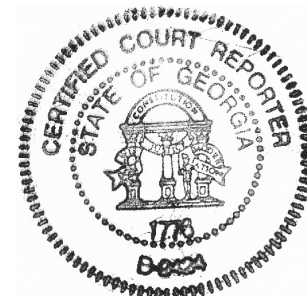
I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions, and answers were reduced to typewriting under my direction; that the transcript is a true and correct record of the evidence given upon said proceeding.

I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of this action.

This the 6th day of September, 2020.



Marsi Koehl, CCR-B-2424



***** C E R T I F I E D *****